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RCP-1938

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

1938 RANGE CONSERVATION PROGRAM BULLETIN

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1938 RANGE CONSERVATION PROGRAM

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, as amended, and in connection with the effectuation of the purposes of Section 7(a) of said Act



in 1938, payments and grants of aid will be made for participation in the 1938 Range Conservation Program in accordance with the provisions of this bulletin and such modifications thereof or other provisions as may hereafter be made.

The provisions of the 1938 Agricultural Conservation Program, including the Range Conservation Program, are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the making of the payments and grants of aid herein provided are contingent upon such appropriation as the Congress may hereafter provide for such purposes; and the amounts of such payments and grants of aid will necessarily be within the limits finally determined by such appropriation and the extent of national participation in the program. Any increase or decrease in rates of payments made because of the extent of participation in the Agricultural Conservation Program, including the Range Conservation Program, is hereby limited so as not to exceed 10 percent.

The provisions of the 1938 Range Conservation Program contained in this bulletin are not applicable to (1) Hawaii, Puerto Rico, and Alaska; (2) counties for which special programs under said Act are approved for 1938 by the Secretary of Agriculture; and (3) public domain of the United States, including lands owned by the United States and administered under the Taylor Grazing Act or by the Forest Service of the United States Department of Agriculture, and other lands in which the beneficial ownership is in the United States.

Section 1. RATES OF RANGE-BUILDING PAYMENTS. Within the limits of the range-building allowance, payment will be made for carrying out on range land in 1938 such of the following range-building practices as are recommended for the State by the State committee and approved by the Regional Director, and as are approved by the county committee for the ranching unit prior to their institution.

PRACTICES AND CONDITIONS OF PAYMENT	RATE OF PAYMENT
A. RESEEDING OF RANGE LAND:	
1. Natural reseeding by deferred grazing: For withholding 25 percent of the range land in the ranching unit from grazing for the period from the start of forage growth to seed maturity, established by the State committee and approved by the Regional Director:	Sixty percent of the range-building allowance, provided such rate shall not exceed the equivalent of \$1.25 per animal unit of grazing capacity.

doubled, rising from \$1,055,000 to \$2,418,000. Producers of strawberries saw their income increase \$608,000, or 65 percent.

Cash income from other Washington farm products showed upturns during the same period. Income from corn and hogs rose \$1,059,000, or 48 percent; that from hay \$529,000, or 28 percent; that from potatoes \$2,549,000 or 144 percent; and that from sheep and lambs \$1,061,000 or 80 percent.

Cash income from Washington's most important farm products and changes in the volume of production of most of them in 1932 and 1935 are shown in Table 1 below:

Table 1 - Farm Production and Cash Income Therefrom in Washington, 1932 and 1935

	1932		1935		Amount of Rental-Benefit Payments Included in Cash Income (in thousands of dollars)
	Production 1/ (in thousands of units)	Cash Income (in thousands of dollars)	Production (in thousands of units)	Cash Income 4/ (in thousands of dollars)	
Corn	1,311 (bu.)	19	1,044 (bu.)	23	5
Wheat	40,348 "	12,672	45,050 "	32,865	6,631
Hay (all)	1,757 (tons)	1,872	1,756 (tons)	2,401	
Potatoes	6,400 (bu.)	1,768	7,920 (bu.)	4,317	
Truck crops	-	3,694	-	5,250	
Hops	4,438 (lbs.)	799	8,314 (lbs.)	1,081	
Apples	30,960 (bu.)	15,942	30,678 (bu.)	18,767	
Pears	3,723 "	1,055	5,060 "	2,418	
Strawberries	2/ 736 (crates)	932	2/ 765 (crates)	1,540	
Small fruits	-	652	-	1,263	
Greenhouse products	-	1,071	-	1,522	
Cattle and calves	109,730 (lbs.)	3,805	147,760 (lbs.)	7,870	
Hogs	65,550 "	2,204	42,980 "	3,259	205
Sheep and lambs	35,950 "	1,328	38,085 "	2,389	
Chickens	11,090 (number raised)	2,630	10,612 (number raised)	3,046	
Eggs (chicken)	858,000 (number)	9,366	761,000 (number)	12,383	
Milk	1,676,000 (lbs.)	18,290	1,884,000 (lbs.)	26,119	
Wool	5,506 "	418	6,556 "	1,180	
GRAND TOTAL 3/		82,965		134,821	6,841

- 1/ Unrevised production figures used to match the unrevised 1932 income figures.
 2/ Strawberries for market, including an unknown amount used for canning and manufacturing.
 3/ Includes income from items not here listed.
 4/ Comparable 1936 figures not available.

Price changes on certain commodities are shown in Table 2.

Table 2. - Average Prices Received by Washington Farmers for Commodities
Listed on Dates Specified

Commodity	Unit	1932	1936 ¹ /	Sept. 15, 1937
		<u>Dollars</u>	<u>Dollars</u>	<u>Dollars</u>
Wheat	bu.	0.38	0.91	0.79
Corn	"	.45	.93	.95
Oats	"	.26	.45	.34
Barley	"	.33	.68	.55
Rye	"	.40	.74	.67
Hay (all)	ton	7.17 ² /	10.15 ² /	9.00
Potatoes	bu.	.41	1.12	.55
Apples	"	.53	.90	.95
Peaches	"	.35	.75	---
Pears	"	.30	.65	---
Cherries	ton	45.00	80.00	---
Beef cattle	cwt.	4.00	5.60	6.70
Veal calves	"	5.40	7.90	8.80
Hogs	"	4.05	9.80	10.20
Sheep	"	2.35	3.80	3.80
Butter (farm)	lb.	.22	.35	.35
Chickens	"	.105	.148	.142
Eggs	doz.	.157	.219	.26
Wool	lb.	.076	.24	.27

¹/ Preliminary.

²/ December 1 price.

Farm Real Estate Values on the Upturn - Taxes Decline

A new appreciation of farm real estate values in Washington has been one of the results of increased farm income. Voluntary sales and trades of farms per thousand increased from 18.1 for the year ending March 1, 1933 to 32.9 for the year ending March 1, 1936. Over the same period the number of forced farm sales per thousand declined from 44.5 to 31.8. After more than a decade of almost steady decline, farm real estate values in Washington reached the bottom in the year ending March 1, 1934, when the value per acre was 73 percent of the 1912-1914 average. With the year ending March 1, 1937, however, the estimated value per acre rose to 84 percent of the 1912-1914 average.

In Washington taxes on farm real estate reached what was probably their all-time peak in relation to value in 1932 when they stood at \$1.44 per \$100 of value. By 1935 they had fallen 40 percent to 87 cents per \$100. Figures for 1936 are not yet available.

PRACTICES AND CONDITIONS OF PAYMENT	RATE OF PAYMENT
7. Wells:	
i. For drilling or digging wells with casing not less than 4 inches in diameter, for the purpose of providing water for range livestock, provided a windmill or power pump is installed and the water is conveyed to a tank or storage reservoir. Payment will not be made for a well developed at ranching unit headquarters.	\$2.00 per linear foot.
ii. For drilling or digging wells with casing less than 4 inches in diameter, for the purpose of providing water for range livestock, provided a windmill or power pump is installed and the water is conveyed to a tank or storage reservoir. An artesian well will qualify for payment provided adequate stock water is made available during the grazing season and the water is conveyed to a tank or trough. Payment will not be made for a well developed at ranching unit headquarters.	\$1.00 per linear foot.
8. Development of natural watering places:	
For developing springs or seeps, protecting the source from trampling and conveying the water in a trough or in a pipe not less than one inch in diameter to a tank, for the purpose of providing water for range livestock.	40 cents per cubic foot for excavation in soil or gravel, and 70 cents per cubic foot for excavation in rock.
D. <u>PLANTING AND MAINTAINING A STAND OF TREES:</u>	
9. Tree planting:	
Planting of trees on range land, provided that the trees are planted in 1938 prior to November 1; that the number, kind, and age of trees planted and methods of planting and growing of such trees are in accordance with approved specifications; and that the acreage planted to trees is fenced and the fence is maintained sufficiently to prevent entry of livestock.	\$10.00 per acre.

PRACTICES AND CONDITIONS OF PAYMENT	RATE OF PAYMENT
10. Cultivating and maintaining a stand of trees:	
Cultivating, protecting, and maintaining, by replanting if necessary, a full stand of at least 500 trees per acre of forest planting, or 200 trees per acre of windbreak or shelter-belt plantings planted between January 1, 1934 and January 1, 1938.	\$4.00 per acre.
<u>E. CONSERVATION OF RANGE LANDS THROUGH THE ELIMINATION OF DESTRUCTIVE PLANTS:</u>	
11. Prickly pear and cactus:	
(a) Light infestation	\$ 0.50 per acre.
(b) Medium infestation	0.75 per acre.
(c) Heavy infestation	1.00 per acre.
12. Mesquite:	
(a) Light infestation	\$ 0.50 per acre.
(b) Medium infestation	1.00 per acre.
(c) Heavy infestation	2.00 per acre.
13. Cedar:	
(a) Light infestation	\$ 0.75 per acre.
(b) Medium infestation	1.00 per acre.
(c) Heavy infestation	1.50 per acre.
14. Lechuguilla:	
(a) Heavy infestation	\$ 0.50 per acre.
<u>F. FIRE GUARDS:</u>	
15. For the establishment of fire guards not less than 10 feet in width by plowing furrows or otherwise exposing the mineral soil. Payment will not be made if the fire guard is used in connection with controlled burning within the ranching unit.	\$ 0.50 per 100 linear feet.

Sec. 2. RANGE-BUILDING ALLOWANCE.

(a) In Texas, Oklahoma, Kansas, Nebraska, South Dakota, and California, the range-building allowance shall be 2 cents per acre of range land in the ranching unit plus \$1.00 times the grazing capacity of the range land; and in Arizona, New Mexico, Nevada, Utah, Colorado, Washington, Oregon, Idaho, Montana, Wyoming, and North Dakota, the range-building allowance shall be 3 cents per acre of range land in the ranching unit plus 75 cents times the grazing capacity of the range land: Provided, however, that in either area the grazing capacity item shall not be calculated on more than one animal unit for each 10 acres of range land in the ranching unit, and the acreage item shall not be calculated on more than 60 acres for each animal unit of grazing capacity established for the ranching unit.

(b) In addition, the range-building allowance shall include 35 cents times the number of acres of mountain meadow land in the ranching unit from which hay is normally harvested for feeding on the ranching unit to range livestock owned by the operator of the ranching unit. The mountain counties in which this additional allowance is made shall be those counties in the Western Region for which, upon the basis of the recommendations of the county and State committees, the Regional Director determines the reseeding and erosion control practices specified in Section 1 to be necessary and effective in promoting range conservation. Provided, however, that neither the grazing capacity nor the acreage of mountain meadow land for which this additional allowance is made shall be considered in calculating the portion of the range-building allowance provided for in subsection (a).

Sec. 3. CONDITIONS OF PAYMENT. The range-building payment with respect to any ranching unit shall not exceed the range-building allowance for such ranching unit. Payment will be made only if range-building practices are carried out according to the specifications prescribed by the State committee and approved by the Regional Director. Payments made for carrying out range-building practices shall not be subject to the provisions of Section 4 of Bulletin ACP-1938. Where a portion of the labor, seed, trees, or materials used in carrying out any practice is furnished by a Federal or State agency other than the Agricultural Adjustment Administration, payment will be made for the proportion of the total acreage of the practice, not exceeding the proportion of the total cost, not furnished by the Federal or State agency. No payment will be made for practices carried out with labor, seed, trees, and materials furnished entirely by any Federal or State agency other than the Agricultural Adjustment Administration.

Sec. 4. CHANGES IN LEASING ARRANGEMENTS AND OTHER DEVICES. No payment will be made to any person who has for 1938 made any change from the 1937 leasing arrangements of range land for the purpose of, or which would have the effect of, diverting to such person any payment to which any lessee would be entitled if the 1937 leasing arrangements of such range land were in effect for 1938. If the State committee finds that any person who files an application for a payment pursuant to the provisions of the 1938 Range Conservation Program has made any change from the 1937 leasing arrangements of such range land or has employed any other scheme or device whatsoever for the purpose of, or which would have the effect of, depriving any other person of any payment or share therein to which such other person otherwise would be entitled, the Secretary may withhold from the person participating in such a scheme or device, or require such person to refund, in whole or in part, the amount of any payment which has been or otherwise would be made to such person for performance in connection with the 1938 Range Conservation Program.

Sec. 5. ELIGIBILITY FOR PAYMENT. Application for range-building payment may be made only by ranch operators. Range-building payments will be made to (1) a sole ranch operator, or (2) each ranch operator of a group of two or more ranch operators, provided they all signify in the application for the range-building payment a percentum of the total payment to be made to each ranch operator. In case there are two or more ranch operators, the application must be made by all of them, except that in cases where any ranch operator refuses to sign the application for payment the county committee shall determine the percentage share of each ranch operator and payment of his percentage share will be made to each ranch operator applying for payment in accordance with such determination.

Payment will be made only upon application submitted through the county office. The Secretary reserves the right (1) to withhold payment to any ranch operator who fails to file any form or furnish any information required with respect to any ranching unit in which such ranch operator is interested, and (2) to refuse to accept any application for payment if such application or any other form or information required is not submitted to the county office within the time fixed by the Regional Director. At least two weeks' notice to the public shall be given in advance of the expiration of a time limit for filing prescribed forms.

Sec. 6. MATERIALS FURNISHED AS GRANTS OF AID. Wherever it is found practicable, trees, seeds, and other material may upon request of the ranch operator(s) be furnished by the Agricultural Adjustment Administration as grants of aid in lieu of payments. Wherever such

materials are furnished, the range-building allowance will be reduced by the amount of the payment which otherwise would be computed with respect to the practices in connection with which the materials so furnished are used.

Sec. 7. PAYMENT RESTRICTED TO EFFECTUATION OF THE PURPOSES OF THE PROGRAM. All or any part of any payment which otherwise would be made to any person under the 1938 Range Conservation Program may be withheld (1) if he has adopted any practice which the Secretary determines tends to defeat any of the purposes of the program, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to forest land or woodland owned or controlled by him, he adopts any practice which tends to defeat the purposes of a sound conservation program as prescribed by the Regional Director.

No payment will be made to any person if it is determined in accordance with instructions issued by the Agricultural Adjustment Administration that, with respect to any ranch which he owns or operates, the stand of grass has been decreased or the forage, tree growth or watershed has been injured by overgrazing in 1938.

Sec. 8. PAYMENTS COMPUTED AND MADE WITHOUT REGARD TO CLAIMS. Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances, and without regard to any claim or lien against any crop or livestock, or proceeds thereof, in favor of the owner or any other creditor.

Sec. 9. ASSOCIATION MEMBERSHIP AND DEDUCTION FOR EXPENSES. Any ranch operator who previously has not, in accordance with the Articles of Association, become a member of the County Agricultural Conservation Association of the county in which his ranching unit or units are located shall become a member thereof by signing an application under which a payment can be made with respect to any such ranching unit. Any person shall cease to be a member of the association when it becomes evident that he cannot qualify for a payment in the county in connection with the 1938 Range Conservation Program.

There shall be deducted pro rata from the payments made to members of each County Agricultural Conservation Association all or such part as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by such association in cooperating in carrying out in such county the purposes of Sections 7 to 17 of the Soil Conservation and Domestic Allotment Act.

Sec. 10. ESTABLISHMENT OF GRAZING CAPACITIES. There shall be established a grazing capacity for each ranching unit for which an application for determination of grazing capacity is received on or before a date established by the Regional Director as affording reason-

able opportunity for the filing of such applications. In determining grazing capacity, consideration shall be given to the following: (a) composition, palatability, and density of forage growth; (b) climatic fluctuations; (c) distribution and character of watering facilities; (d) topographic and cultural features; (e) presence or absence of rodents and poisonous plant infestations; and (f) number and classes of livestock previously carried. The average of the individual grazing capacities established for all ranching units in a county shall not exceed the county average grazing capacity limit established by the Agricultural Adjustment Administration on the basis of available statistics.

Sec. 11. DETERMINATION OF COUNTY IN WHICH A RANCHING UNIT IS LOCATED. A ranching unit shall be regarded as located in the county in which its principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the ranching unit is located.

Sec. 12. APPEALS. Any ranch operator who considers himself aggrieved by any recommendation or determination of the county committee with respect to the following matters affecting his ranching unit may, within 15 days after being notified thereof, request the county committee in writing to reconsider the recommendation or determination: (a) eligibility to file an application for payment, (b) grazing capacity established for the range land in such ranching unit, or (c) any other matter affecting the right to or the amount of his payment with respect to the ranching unit. The county committee shall notify such person of its decision in writing within 15 days after receipt of such written request for reconsideration. If such person is dissatisfied with the decision of the county committee he may, within 15 days after such decision, appeal in writing to the State committee. The State committee shall, within 30 days after the receipt of the appeal, inform such person of its decision. If such person is dissatisfied with the decision of the State committee, he may, within 15 days thereafter, request the Regional Director to review the decision of the State committee.

Sec. 13. INSTRUCTIONS AND FORMS. The Agricultural Adjustment Administration shall prepare and issue such instructions and forms as may be required in administering the 1938 Range Conservation Program. Such instructions shall include provision for the rounding of fractions in connection with grazing capacities and the acreages or units of range-building practices and shall provide for calculating the net payment to any person to the nearest whole dollar, fractions of 50 cents or less to be dropped and fractions of more than 50 cents to be considered as \$1.00.

Sec. 14. DEFINITIONS. For the purposes of the 1938 Range Conservation Program,

SECRETARY means the Secretary of Agriculture of the United States.

NORTH CENTRAL REGION means the area included in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

SOUTHERN REGION means the area included in the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, South Carolina, and Texas.

WESTERN REGION means the area included in the States of Arizona, California, Colorado, Idaho, Kansas, Montana, Nevada, New Mexico, North Dakota, Oregon, Utah, Washington, and Wyoming.

REGIONAL DIRECTOR means the director of the division of the Agricultural Adjustment Administration in charge of the 1938 Agricultural Conservation Program in the region.

STATE COMMITTEE means the group of persons designated for any State to assist in the administration of the 1938 Agricultural Conservation Program in such State.

COUNTY COMMITTEE means the group of persons elected for any county to assist in the administration of the 1938 Agricultural Conservation Program in such county.

PERSON means an individual, partnership, association, corporation, estate or trust, and wherever applicable a State, a political subdivision of a State, or any agency thereof.

RANGE-BUILDING PAYMENT means a payment for the carrying out of one or more approved range-building practices.

RANGE-BUILDING ALLOWANCE means the largest amount for any ranching unit which may be earned as a range-building payment on such ranching unit.

RANCH OPERATOR means a person who as owner, cash tenant, or share tenant operates, or a person who acts in similar capacity in the operation of, a ranching unit in 1938.

RANGE LAND means any land in which a ranch operator has such a legal estate or interest as to give him control thereof, which produces forage grazed by range livestock, without cultivation or general irrigation. Range land shall not include public domain of the United States, including lands owned by the United States and administered under the Taylor Grazing Act or by the Forest Service of the United States Department of Agriculture, and other lands in which the beneficial ownership is in the United States.

RANCHING UNIT means all range land which is used in 1938 by the ranch operator as a single unit in producing range livestock, with machinery, workstock, and labor substantially separate from that of any other range land.

ANIMAL UNIT means one cow, one horse, five sheep, or five goats, or the equivalent thereof.

GRAZING CAPACITY OF RANGE LAND means the number of animal units which such land will sustain, on a twelve-month basis, over a period of years without decreasing the stand of grass or other grazing vegetation, and without injury to the forage, tree growth, or watershed.

[SEAL]

Done at Washington, D. C.,
this 6th day of November 1937.
Witness my hand and the seal of
the Department of Agriculture.

H. A. Wallace

Secretary of Agriculture.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

1938 RANGE CONSERVATION PROGRAM BULLETIN

Supplement No. 1

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, as amended, the 1938 Range Conservation Program Bulletin (RCP-1938) is amended as follows:

(1) The rate of payment in connection with practice No. 1, Section 1, entitled "Natural reseeding by deferred grazing", is amended to read as follows:

"Sixty percent of that part of the range-building allowance which is computed under subsection (a) of Sec. 2, provided such rate shall not exceed the equivalent of \$1.25 per animal unit of grazing capacity."

(2) Practice No. 3, Section 1, is amended to read as follows:

"3. (a) Contour listing, furrowing, or subsoiling:

For listing, furrowing, or subsoiling range land on the contour.	50 cents per acre."
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(b) Contour ridging:

For ridging range land on the contour.	10 cents per 100 linear feet."
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(3) Practice No. 4, Section 1, is amended to read as follows:

"4. Spreader dams and spreader terraces:	15 cents per cubic yard for material moved in building terraces, and 40 cents per 100 linear feet of terraces constructed."
Spreader dams and spreader terraces constructed alone or in combination with each other for the diversion of surface water to prevent soil washing of range land.	

(4)

(4) Practice No. 15, Section 1, is amended to read as follows:

"15. For the establishment of fire guards not less than 10 feet in width by	\$0.05 per 100 linear feet."
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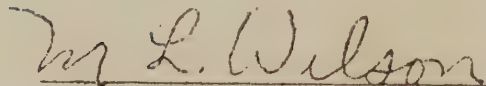
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plowing furrows or otherwise exposing
the mineral soil. Payment will not
be made if the fire guard is used in
connection with controlled burning
within the ranching unit.

(SEAL)

Done at Washington, D. C.,
this 10th day of January, 1938.
Witness my hand and the seal of
the Department of Agriculture.



Acting Secretary of Agriculture.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

1938 RANGE CONSERVATION PROGRAM BULLETIN

(As Amended March 12, 1938)

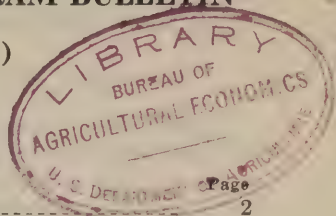
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This bulletin revises and supplements the 1938 Range Conservation Program Bulletin (RCP-1938) and Supplements Nos. 1 and 2 thereto (RCP-1938-1 and RCP-1938-2) and to the extent of such revision and supplementation, but not otherwise, supersedes said bulletin and supplements.

Pursuant to the authority vested in the Secretary of Agriculture under Sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, and in connection with the effectuation of the purposes of Section 7 (a) of said Act in 1938, payments and grants of aid will be made for participation in the 1938 Range Conservation Program in accordance with the provisions of this bulletin and such modifications thereof or other revisions as may hereafter be made.

The provisions of the 1938 Agricultural Conservation Program, including the Range Conservation Program, are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the making of the payments and grants of aid herein provided are contingent upon such appropriation as the Congress may hereafter provide for such purposes; and the amounts of such payments and grants of aid will necessarily be within the limits finally determined by such appropriation and the extent of national participation in the program. Any increase or decrease in rates of payment made because of the extent of participation in the Range Conservation Program will not exceed 10 percent.



The provisions of the 1938 Range Conservation Program contained in this bulletin are not applicable to (1) Hawaii, Puerto Rico, and Alaska; (2) counties for which special range programs under said Act are approved for 1938 by the Secretary of Agriculture; and (3) public domain of the United States, including lands owned by the United States and administered under the Taylor Grazing Act or by the Forest Service of the United States Department of Agriculture, and other lands in which the beneficial ownership is in the United States.

SECTION I. RATES OF RANGE-BUILDING PAYMENTS

Within the limits of the range-building allowance and subject to the conditions hereinafter set forth, payment will be made for carrying out on range land in 1938 such of the following range-building practices as are recommended for the State by the State committee and approved by the Regional Director, and as are approved by the county committee for the ranching unit prior to their institution.

Practices and conditions of payment	Rate of payment
A. RESEEDING OF RANGE LAND	
1. Natural reseeding by deferred grazing -----	
<p>For withholding 25 percent of the range land in the ranching unit from grazing for the period from the start of forage growth to seed maturity, established by the State committee and approved by the Regional Director: <i>Provided</i>, (1) if grazing is deferred on less than 25 percent of the range land in the ranching unit, a proportionate payment will be made; (2) on ranching units on which cattle or horses are grazed the area to be kept free of grazing is fenced and the fence is maintained sufficiently to prevent the entry of livestock; (3) on ranching units used exclusively for grazing sheep either the area to be kept free of grazing is fenced and the fence is maintained sufficiently to prevent entry of livestock or the entry of livestock on the non-grazed acreage is prevented by herding; (4) the remaining range land in such ranching unit is not pastured to such an extent as will decrease the stand of grass or injure the forage, tree growth, or watershed; (5) such practice shall not be applicable to range land in the ranching unit which normally is not used for grazing during the period from the start of forage growth to seed maturity; (6) the ranch operator has submitted to the county committee in writing the designation of the non-grazing range area of the ranching unit previous to the carrying-out of such practice; and (7) the ranch operator complies with such other conditions or specifications as may be established by the county committee with the approval of the State committee, including the increase of the area to be withheld from grazing to as much as 40 percent of the range land, where the county committee determines such additional conditions or specifications are needed in the interest of range conservation.</p>	<p>60 percent of that part of the range - building allowance which is computed under subsection A of Section II, provided such rate shall not exceed the equivalent of \$1.25 per animal unit of grazing capacity.</p>
2. Artificial reseeding -----	
<p>For reseeding depleted range land with good seed of adapted varieties of range grasses, legumes, or forage shrubs.</p>	<p>\$0.20 per pound of seed sown, but not in excess of \$2.00 per acre.</p>

Practices and conditions of payment	Rate of payment
B. EROSION AND RUNOFF CONTROL	
3. (a) Contour listing, furrowing, or subsoiling ----- For listing, furrowing, or subsoiling range land on the contour.	\$0.50 per acre.
(b) Contour ridging ----- For ridging range land on the contour.	\$0.10 per 100 linear feet.
4. Spreader dams and terraces: For constructing spreader dams and spreader terraces alone or in combination with each other for the diversion of surface water to prevent soil washing of range land.	
(a) Spreader dams -----	\$0.15 per cubic yard of material moved.
(b) Spreader terraces -----	\$0.40 per 100 linear feet.
C. DEVELOPMENT OF STOCK WATER ON RANGE LAND	
5. Earthen tanks or reservoirs ----- For constructing reservoirs or earthen tanks with spillways adequate to prevent dams from washing out, for the purpose of providing water for range livestock.	\$0.15 per cubic yard of fill or excavation.
6. Concrete or rubble masonry dams ----- For constructing concrete or rubble masonry dams in rough or broken areas (where earthen dams or reservoirs are impracticable and where there is no possibility of using the masonry dam for irrigation), for the purpose of providing water for range livestock.	\$6.00 per cubic yard of concrete or rubble masonry.
7. Wells:	
(a) For drilling or digging wells with casing not less than 4 inches in diameter, for the purpose of providing water for range livestock, provided a windmill or power pump is installed and the water is conveyed to a tank or storage reservoir. Payment will not be made for a well developed at ranching unit headquarters.	\$2.00 per linear foot.
(b) For drilling or digging wells with casing less than 4 inches but not less than 2 inches in diameter, for the purpose of providing water for range livestock, provided a windmill or power pump is installed and the water is conveyed to a tank or storage reservoir. An artesian well will qualify for payment provided adequate stock water is made available during the grazing season and the water is conveyed to a tank or trough. Payment will not be made for a well developed at ranching unit headquarters.	\$1.00 per linear foot.
8. Development of natural watering places ----- For developing springs or seeps, protecting the source from trampling and conveying the water in a trough or in a pipe not less than one inch in diameter to a tank, for the purpose of providing water for range livestock.	\$0.40 per cubic foot for excavation in soil or gravel, and \$0.70 per cubic feet for excavation in rock.

Practices and conditions of payment	Rate of payment
D. PLANTING AND MAINTAINING A STAND OF TREES	
9. Tree planting----- Planting of trees on range land, provided that the trees are planted in 1938 prior to November 1; that the number, kind, and age of trees planted and methods of planting and growing of such trees are in accordance with approved specifications; and that the acreage planted to trees is fenced and the fence is maintained sufficiently to prevent entry of livestock.	\$10.00 per acre.
10. Cultivating and maintaining a stand of trees----- Cultivating, protecting, and maintaining, by replanting if necessary a full stand of at least 500 trees per acre of forest planting, or 200 trees per acre of windbreak or shelter-belt plantings planted between January 1, 1934 and January 1, 1938.	\$4.00 per acre.
E. CONSERVATION OF RANGE LANDS THROUGH THE ELIMINATION OF DESTRUCTIVE PLANTS	
11. Prickly pear and cactus: (a) Light infestation----- (b) Medium infestation----- (c) Heavy infestation-----	\$0.50 per acre. \$0.75 per acre. \$1.00 per acre.
12. Mesquite: (a) Light infestation----- (b) Medium infestation----- (c) Heavy infestation-----	\$0.50 per acre. \$1.00 per acre. \$2.00 per acre.
13. Cedar: (a) Light infestation----- (b) Medium infestation----- (c) Heavy infestation-----	\$0.75 per acre. \$1.00 per acre. \$1.50 per acre.
14. Lechuguilla: (a) Heavy infestation-----	\$0.50 per acre.
F. FIRE GUARDS	
15. For the establishment of fire guards not less than 10 feet in width by plowing furrows or otherwise exposing the mineral soil. Payment will not be made if the fire guard is used in connection with controlled burning within the ranching unit.	\$0.05 per 100 linear feet.

SECTION II. RANGE-BUILDING ALLOWANCE

A. In Texas, Oklahoma, Kansas, Nebraska, South Dakota, and California, the range-building allowance shall be 2 cents per acre of range land in the ranching unit plus \$1.00 times the grazing capacity of the range land; and in Arizona, New Mexico, Nevada, Utah, Colorado, Washington, Oregon, Idaho, Montana, Wyoming, and North Dakota, the range-building allowance shall be 3 cents per acre of range land in the ranching unit plus 75 cents times the grazing capacity of the range land: *Provided*, however, that in either area the grazing capacity item shall not be calculated on more than one animal unit for each 10 acres of range land in the ranching unit, and the acreage item shall not be calculated on more than 60 acres for each animal unit of grazing capacity established for the ranching unit.

B. In addition, the range-building allowance shall include 35 cents times the number of acres of mountain meadow land in the ranching unit from which hay is normally harvested for feeding on the ranching unit to range livestock owned by the operator of the ranching unit. The mountain counties in which this additional allowance is made shall be those counties in the Western Region for which, upon the basis of the recommendations of the county and State committees, the Regional Director determines the reseeding and erosion control practices specified in Section I to be necessary and effective in promoting range conservation: *Provided*, however, that mountain meadow land for which this additional allowance is made shall not be considered in calculating the portion of the range-building allowance provided for in subsection A.

SECTION III. CONDITIONS OF PAYMENT

A. The range-building payment with respect to any ranching unit shall not exceed the range-building allowance for such ranching unit. Payment will be made only if range-building practices are carried out according to specifications recommended by the State committee and approved by the Regional Director. Payments made for carrying out range-building practices shall not be subject to the provisions of Section V of the Agricultural Conservation Program Bulletin, as amended February 19, 1938 (ACP-1938-3).

B. No payment will be made for practices carried out with labor, seed, trees, and materials furnished entirely by any State or Federal agency other than the Agricultural Adjustment Administration, or for practices with respect to which a portion of the labor, seed, trees, or other materials used in carrying out such practices is furnished by a State or Federal agency other than the Agricultural Adjustment Administration, if such portion represents one-half or more of the total cost of carrying out such practices. If a portion of the labor, seed, trees, or other materials used in carrying out any practice is furnished by a State or Federal agency other than the Agricultural Adjustment Administration and such portion represents less than one-half of the total cost of carrying out such practice, payment will be made for such practice at one-half of the rate specified in Section I.

SECTION IV. CHANGES IN LEASING ARRANGEMENTS AND OTHER DEVICES

A. No payment will be made to any person who has for 1938 made any change from the 1937 leasing arrangements of range land for the purpose of, or which would have the effect of, diverting to such person any payment to which any lessee would be entitled if the 1937 leasing arrangements of such range land were in effect for 1938. If the State committee finds that any person who files an application for a payment pursuant to the provisions of the 1938 Range Conservation Program has made any change from the 1937 leasing arrangements of such range land or has employed any other scheme or device whatsoever for the purpose of, or which would have the effect of, depriving any other person of any payment or share therein to which such other person otherwise would be entitled, the Secretary may withhold in whole or in part from the person participating in such a scheme or

device, or require such person to refund in whole or in part, the amount of any payment which has been or otherwise would be made to such person for performance in connection with the 1938 Range Conservation Program.

B. If on any ranching unit in 1938 any change of the leasing arrangements which existed on the ranching unit in 1937 is made between the landlord and the tenants and such change would cause a greater proportion of the payment to be made to the landlord under the 1938 Range Conservation Program than would have been made to the landlord for performances on the ranching unit under the 1937 Range Conservation Program, payment to the landlord under the 1938 Range Conservation Program with respect to the ranching unit shall not be greater than the amount that would have been paid to the landlord if the arrangements which existed on the ranching unit in 1937 had been continued in 1938, if the county committee certifies that the change is not justified and disapproves such change.

C. If on any ranching unit the number of tenants in 1938 is less than the average number on the ranching unit during the years 1935 to 1937, inclusive, and such reduction would increase the payments that would otherwise be made to the landlord, such payments to the landlord shall not be greater than the amount that would otherwise be made if the county committee certifies that the reduction is not justified and disapproves such reduction.

SECTION V. ELIGIBILITY FOR PAYMENT

A. Application for range-building payment may be made only by ranch operators. Range-building payments will be made to (1) a sole ranch operator, or (2) each ranch operator of a group of two or more ranch operators, provided they all signify in the application for the range-building payment a percentum of the total payment to be made to each ranch operator. In case there are two or more ranch operators, the application must be made by all of them, except that in cases where any ranch operator refuses to sign the application for payment the county committee shall determine the percentage share of each ranch operator and payment of his percentage share will be made to each ranch operator applying for payment in accordance with such determination.

B. Any person who has an interest in a farm on which cotton is planted in 1938 and who makes application for payment with respect to any ranching unit shall file with such application a statement verified by affidavit that the applicant has not knowingly planted or caused to be planted during 1938 cotton on land in any farm in which he has an interest in excess of the cotton acreage allotment established for the farm for 1938 under Section 344 of the Agricultural Adjustment Act of 1938 in connection with cotton marketing quotas, and that cotton was not planted in excess of such allotment by his authority or with his consent. Any person who knowingly plants cotton on his farm in 1938 on acreage in excess of the cotton acreage allotment for the farm established in connection with cotton marketing quotas under Section 344 of the Agricultural Adjustment Act of 1938 and regulations issued in connection therewith shall not be eligible for any payment under the provisions of the 1938 Range Conservation Program. A person shall be presumed to have knowingly planted cotton on his

farm on acreage in excess of such farm cotton acreage allotment if notice of his allotment is mailed to him prior to the completion of the planting of cotton on the farm unless such person establishes the fact that the excess acreage planted to cotton was due to his lack of knowledge of the number of acres in the tract(s) planted to cotton. Such notice, if mailed to the operator of the farm, shall be deemed to be notice to all persons sharing in the production of cotton thereon in 1938.

SECTION VI. MATERIALS FURNISHED AS GRANTS OF AID

Wherever it is found practicable, trees, seeds, and other material may, upon request of the ranch operator(s), be furnished by the Agricultural Adjustment Administration as grants of aid in lieu of payments. Wherever such materials are furnished, the range-building allowance will be reduced by the amount of the payment which otherwise would be computed with respect to the practices in connection with which the materials so furnished are used. In making a request for materials pursuant to this section the ranch operator(s) to whom such materials are furnished shall agree that, in the event the amount of the payment which otherwise would be computed with respect to the practices in connection with which the materials so furnished are used exceeds the range-building allowance, the amount of such excess shall be repaid by him to the Secretary.

SECTION VII. PAYMENT RESTRICTED TO EFFECTUATION OF THE PURPOSES OF THE PROGRAM

All or any part of any payments which otherwise would be made to any person under the 1938 Range Conservation Program may be withheld (1) if he has adopted any practice which the Secretary determines tends to defeat any of the purposes of the program, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to forest land or woodland owned or controlled by him, he adopts any practice which the Regional Director finds is contrary to sound conservation practices.

No payment will be made to any person if it is determined in accordance with instructions issued by the Agricultural Adjustment Administration that, with respect to any ranch which he owns or operates, the stand of grass has been decreased or the forage, tree growth or watershed has been injured by overgrazing in 1938.

SECTION VIII. PAYMENTS COMPUTED AND MADE WITHOUT REGARD TO CLAIMS

Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in Section XI), and without regard to any claim or lien against any crop or livestock, or proceeds thereof, in favor of the owner or any other creditor.

SECTION IX. INCREASE IN SMALL PAYMENTS

The total payment computed for any person with respect to any ranching unit shall be increased as follows:

- (1) Any payment amounting to 71 cents or less shall be increased to \$1.00;
- (2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;
- (3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$1.00 to \$1.99	\$0. 40	\$32.00 to \$32.99	\$10. 40
\$2.00 to \$2.99	. 80	\$33.00 to \$33.99	10. 60
\$3.00 to \$3.99	1. 20	\$34.00 to \$34.99	10. 80
\$4.00 to \$4.99	1. 60	\$35.00 to \$35.99	11. 00
\$5.00 to \$5.99	2. 00	\$36.00 to \$36.99	11. 20
\$6.00 to \$6.99	2. 40	\$37.00 to \$37.99	11. 40
\$7.00 to \$7.99	2. 80	\$38.00 to \$38.99	11. 60
\$8.00 to \$8.99	3. 20	\$39.00 to \$39.99	11. 80
\$9.00 to \$9.99	3. 60	\$40.00 to \$40.99	12. 00
\$10.00 to \$10.99	4. 00	\$41.00 to \$41.99	12. 10
\$11.00 to \$11.99	4. 40	\$42.00 to \$42.99	12. 20
\$12.00 to \$12.99	4. 80	\$43.00 to \$43.99	12. 30
\$13.00 to \$13.99	5. 20	\$44.00 to \$44.99	12. 40
\$14.00 to \$14.99	5. 60	\$45.00 to \$45.99	12. 50
\$15.00 to \$15.99	6. 00	\$46.00 to \$46.99	12. 60
\$16.00 to \$16.99	6. 40	\$47.00 to \$47.99	12. 70
\$17.00 to \$17.99	6. 80	\$48.00 to \$48.99	12. 80
\$18.00 to \$18.99	7. 20	\$49.00 to \$49.99	12. 90
\$19.00 to \$19.99	7. 60	\$50.00 to \$50.99	13. 00
\$20.00 to \$20.99	8. 00	\$51.00 to \$51.99	13. 10
\$21.00 to \$21.99	8. 20	\$52.00 to \$52.99	13. 20
\$22.00 to \$22.99	8. 40	\$53.00 to \$53.99	13. 30
\$23.00 to \$23.99	8. 60	\$54.00 to \$54.99	13. 40
\$24.00 to \$24.99	8. 80	\$55.00 to \$55.99	13. 50
\$25.00 to \$25.99	9. 00	\$56.00 to \$56.99	13. 60
\$26.00 to \$26.99	9. 20	\$57.00 to \$57.99	13. 70
\$27.00 to \$27.99	9. 40	\$58.00 to \$58.99	13. 80
\$28.00 to \$28.99	9. 60	\$59.00 to \$59.99	13. 90
\$29.00 to \$29.99	9. 80	\$60.00 to \$185.99	14. 00
\$30.00 to \$30.99	10. 00	\$186.00 to \$199.99	(¹)
\$31.00 to \$31.99	10. 20	\$200.00 and over	(²)

¹ Increase to \$200.00.

² No increase.

SECTION X. DEDUCTIONS FOR ASSOCIATION EXPENSES

There shall be deducted pro rata from the payments with respect to any ranching unit all or such part as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the ranching unit is located.

SECTION XI. ASSIGNMENTS

Any person who may be entitled to any payment in connection with the 1938 Range Conservation Program may assign his interest in such payment as security for cash loaned or advances made for the purpose

of financing the making of a crop in 1938. No such assignment will be recognized unless (1) the assignment is made in writing on a form prescribed by the Agricultural Adjustment Administration and is acknowledged by the ranch operator before the county agricultural extension agent and filed with such agent; (2) the ranch operator files with the assignment an affidavit showing that the assignment is made to pay or secure an indebtedness incurred in connection with financing the making of a 1938 crop and not to pay or secure any pre-existing indebtedness; and (3) the person to whom such assignment is made certifies that the payment is being assigned without discount for such purpose. For the purposes of this section the making of a crop shall be deemed to include the carrying out of range-building practices.

Nothing in the provisions of this section shall be construed to give an assignee a right to any payment other than that to which the ranch operator is entitled, nor shall the Secretary or any disbursing agent be subject to any suit or liability if payment is made to the ranch operator without regard to the existence of any such assignment.

SECTION XII. ESTABLISHMENT OF GRAZING CAPACITIES

There shall be established a grazing capacity for each ranching unit for which an application for determination of grazing capacity is received on or before a date established by the Regional Director as affording reasonable opportunity for the filing of such applications. In determining grazing capacity, consideration shall be given to the following: (a) composition, palatability, and density of forage growth; (b) climatic fluctuations; (c) distribution and character of watering facilities; (d) topographic and cultural features; (e) presence or absence of rodents and poisonous plant infestations; and (f) number and classes of livestock previously carried. The average of the individual grazing capacities established for all ranching units in a county shall not exceed the county average grazing capacity limit established by the Agricultural Adjustment Administration on the basis of available statistics.

SECTION XIII. DETERMINATION OF COUNTY IN WHICH A RANCHING UNIT IS LOCATED

A ranching unit shall be regarded as located in the county in which its principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the ranching unit is located.

SECTION XIV. APPEALS

Any person who considers himself aggrieved by any recommendation or determination of the county committee with respect to any ranching unit in which he has an interest may, within 15 days after notice thereof is forwarded to or available to him request the county committee in writing to reconsider its recommendation or determination with respect to any of the following matters: (a) eligibility to file an application for payment, (b) grazing capacity established for the range land in such ranching unit, or (c) any other matter affecting the

right to or the amount of his payment with respect to the ranching unit. The county committee shall notify such person of its decision in writing within 15 days after receipt of such written request for reconsideration. If such person is dissatisfied with the decision of the county committee he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person of its decision in writing within 30 days after the receipt of the appeal. If such person is dissatisfied with the decision of the State committee he may, within 15 days after such decision is forwarded to or made available to him, request the regional director to review the decision of the State committee.

SECTION XV. STATE AND REGIONAL BULLETINS, INSTRUCTIONS AND FORMS

The Agricultural Adjustment Administration shall prepare and issue such State and regional bulletins, instructions, and forms as may be required in administering the 1938 Range Conservation Program.

SECTION XVI. DEFINITIONS

For the purposes of the 1938 Range Conservation Program—
SECRETARY means the Secretary of Agriculture of the United States.

NORTH CENTRAL REGION means the area included in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

SOUTHERN REGION means the area included in the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, South Carolina, and Texas.

WESTERN REGION means the area included in the States of Arizona, California, Colorado, Idaho, Kansas, Montana, Nevada, New Mexico, North Dakota, Oregon, Utah, Washington, and Wyoming.

REGIONAL DIRECTOR means the director of the division of the Agricultural Adjustment Administration in charge of the 1938 Agricultural Conservation Program and the 1938 Range Conservation Program in the Region.

STATE COMMITTEE means the group of persons designated for any State to assist in the administration of the 1938 Agricultural Conservation Program and the 1938 Range Conservation Program in such State.

COUNTY COMMITTEE means the group of persons elected for any county to assist in the administration of the 1938 Agricultural Conservation Program and the 1938 Range Conservation Program in such county.

PERSON means an individual, partnership, association, corporation, estate or trust, and wherever applicable a State, a political subdivision of a State, or any agency thereof.

RANGE-BUILDING PAYMENT means a payment for the carrying out of one or more approved range-building practices.

RANGE-BUILDING ALLOWANCE means the largest amount for any ranching unit which may be earned as a range-building payment on such ranching unit.

RANCH OPERATOR means a person who as owner, cash tenant, or share tenant operates, or a person who acts in similar capacity in the operation of, a ranching unit in 1938.

RANGE LAND means any land in which a ranch operator has such a legal estate or interest as to give him control thereof, which produces forage grazed by range livestock, without cultivation or general irrigation. Range land shall not include public domain of the United States including lands owned by the United States and administered under the Taylor Grazing Act or by the Forest Service of the United States Department of Agriculture, and other lands in which the beneficial ownership is in the United States.

RANCHING UNIT means all range land which is used in 1938 by the ranch operator as a single unit in producing range livestock, with machinery, workstock, and labor substantially separate from that of any other range land. In order to facilitate the administration of the program the Regional Director may prescribe that for the purposes of this program tracts shall be deemed ranching units only if they contain more than the minimum acreage of range land fixed by him.

ANIMAL UNIT means one cow, one horse, five sheep, or five goats, or the equivalent thereof.

GRAZING CAPACITY OF RANGE LAND means the number of animal units which such land will sustain, on a 12-month basis, over a period of years without decreasing the stand of grass or other grazing vegetation, and without injury to the forage, tree growth, or watershed.

DONE at Washington, D. C., this 12th day of March, 1938. Witness my hand and the seal of the Department of Agriculture.



H. Wallace
Secretary of Agriculture.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

1938 RANGE CONSERVATION PROGRAM BULLETIN
As Amended March 12, 1938



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1938 RANGE CONSERVATION PROGRAM BULLETIN

This bulletin revises and supplements the 1938 Range Conservation Program Bulletin (RCP-1938) and Supplements Nos. 1 and 2 thereto (RCP-1938-1 and RCP-1938-2) and to the extent of such revision and supplementation, but not otherwise, supersedes said bulletin and supplements.

Pursuant to the authority vested in the Secretary of Agriculture under Sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, and in connection with the effectuation of the purposes of Section 7 (a) of said Act in 1938, payments and grants of aid will be made for participation in the 1938 Range Conservation Program in accordance with the provisions of this bulletin and such modifications thereof or other revisions as may hereafter be made.

The provisions of the 1938 Agricultural Conservation Program, including the Range Conservation Program, are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the making of the payments and grants of aid herein provided are contingent upon such appropriation as the Congress may hereafter provide for such purposes; and the amounts of such payments and grants of aid will necessarily be within the limits finally determined by such appropriation and the extent of national participation in the program. Any increase or decrease in rates of payment made because of the extent of participation in the Range Conservation Program will not exceed 10 percent.

The provisions of the 1938 Range Conservation Program contained in this bulletin are not applicable to (1) Hawaii, Puerto Rico, and Alaska; (2) counties for which special range programs under said Act are approved for 1938 by the Secretary of Agriculture; and (3) public domain of the United States, including lands owned by the United States and administered under the Taylor Grazing Act or by the Forest Service of the United States Department of Agriculture, and other lands in which the beneficial ownership is in the United States.

Section I. Rates of Range-Building Payments.
Within the limits of the range-building allowance and subject to the conditions hereinafter set forth, payment will be made for carrying out on range land in 1938 such of the following range-building practices as are recommended for the State by the State committee and approved by the Regional Director, and as are approved by the county committee for the ranching unit prior to their institution.

PRACTICES AND CONDITIONS OF PAYMENT

RATE OF PAYMENT

A. RESEEDING OF RANGE LAND:

1. Natural reseeding by deferred grazing:

For withholding 25 percent of the range land in the ranching unit from grazing for the period from the start of forage growth to seed maturity, established by the State committee and approved by the Regional Director: Provided, (1) if grazing is deferred on less than 25 percent of the range land in the ranching unit, a proportionate payment will be made; (2) on ranching units on which cattle or horses are grazed the area to be kept free of grazing is fenced and the fence is maintained sufficiently to prevent the entry of livestock; (3) on ranching units used exclusively for grazing sheep either the area to be kept free of grazing is fenced and the fence is maintained sufficiently to prevent entry of livestock or the entry of livestock on the non-grazed acreage is prevented by herding; (4) the remaining range land in such ranching unit is not pastured to such an extent as will decrease the stand of grass or injure the forage, tree growth, or watershed; (5) such practice shall not be applicable to range land in the ranching unit which normally is not used for grazing during the period from the start of forage growth to seed maturity; (6) the ranch operator has submitted to the county committee in writing the designation of the non-grazing range area of the ranching unit previous to the carrying-out of such practice; and (7) the ranch operator complies with such other conditions or specifications as may be established by the county com-

Sixty percent of that part of the range-building allowance which is computed under subsection A of Section II, provided such rate shall not exceed the equivalent of \$1.25 per animal unit of grazing capacity.

PRACTICES AND CONDITIONS OF PAYMENT	RATE OF PAYMENT
<p>mittee with the approval of the State committee, including the increase of the area to be withheld from grazing to as much as 40 percent of the range land, where the county committee determines such additional conditions or specifications are needed in the interest of range conservation.</p>	
<p>2. Artificial reseeding:</p> <p>For reseeding depleted range land with good seed of adapted varieties of range grasses, legumes, or forage shrubs.</p>	<p>\$0.20 per pound of seed sown, but not in excess of \$2.00 per acre.</p>
<p>B. <u>EROSION AND RUNOFF CONTROL:</u></p>	
<p>3. (a) Contour listing, furrowing, or subsoiling:</p> <p>For listing, furrowing, or subsoiling range land on the contour.</p>	<p>\$0.50 per acre.</p>
<p>(b) Contour ridging:</p> <p>For ridging range land on the contour.</p>	<p>\$0.10 per 100 linear feet.</p>
<p>4. Spreader dams and terraces:</p> <p>For constructing spreader dams and spreader terraces alone or in combination with each other for the diversion of surface water to prevent soil washing of range land.</p>	
<p>(a) Spreader dams.</p>	<p>\$0.15 per cubic yard of material moved.</p>
<p>(b) Spreader terraces.</p>	<p>\$0.40 per 100 linear feet.</p>
<p>C. <u>DEVELOPMENT OF STOCK WATER ON RANGE LAND:</u></p>	
<p>5. Earthen tanks or reservoirs:</p>	

PRACTICES AND CONDITIONS OF PAYMENT	RATE OF PAYMENT
For constructing reservoirs or earthen tanks with spillways adequate to prevent dams from washing out, for the purpose of providing water for range livestock.	\$0.15 per cubic yard of fill or excavation.
6. Concrete or rubble masonry dams: For constructing concrete or rubble masonry dams in rough or broken areas (where earthen dams or reservoirs are impracticable and where there is no possibility of using the masonry dam for irrigation), for the purpose of providing water for range livestock.	\$6.00 per cubic yard of concrete or rubble masonry.
7. Wells: (a) For drilling or digging wells with casing not less than 4 inches in diameter, for the purpose of providing water for range livestock, provided a windmill or power pump is installed and the water is conveyed to a tank or storage reservoir. Payment will not be made for a well developed at ranching unit headquarters.	\$2.00 per linear foot.
(b) For drilling or digging wells with casing less than 4 inches but not less than 2 inches in diameter, for the purpose of providing water for range livestock, provided a windmill or power pump is installed and the water is conveyed to a tank or storage reservoir. An artesian well will qualify for payment provided adequate stock water is made available during the grazing season and the water is conveyed to a tank or trough. Payment will not be made for a well developed at ranching unit headquarters.	\$1.00 per linear foot.
8. Development of natural watering places:	

PRACTICES AND CONDITIONS OF PAYMENT	RATE OF PAYMENT
For developing springs or seeps, protecting the source from trampling and conveying the water in a trough or in a pipe not less than one inch in diameter to a tank, for the purpose of providing water for range livestock.	\$0.40 per cubic foot for excavation in soil or gravel, and \$0.70 per cubic feet for excavation in rock.
<u>D. PLANTING AND MAINTAINING A STAND OF TREES:</u>	
9. Tree planting:	
Planting of trees on range land, provided that the trees are planted in 1938 prior to November 1; that the number, kind, and age of trees planted and methods of planting and growing of such trees are in accordance with approved specifications; and that the acreage planted to trees is fenced and the fence is maintained sufficiently to prevent entry of livestock.	\$10.00 per acre
10. Cultivating and maintaining a stand of trees:	
Cultivating, protecting, and maintaining, by replanting if necessary a full stand of at least 500 trees per acre of forest planting, or 200 trees per acre of windbreak or shelter-belt plantings planted between January 1, 1934 and January 1, 1938.	\$4.00 per acre.
<u>E. CONSERVATION OF RANGE LANDS THROUGH THE ELIMINATION OF DESTRUCTIVE PLANTS:</u>	
11. Prickly pear and cactus:	
(a) Light infestation (b) Medium infestation (c) Heavy infestation	\$0.50 per acre. 0.75 per acre. 1.00 per acre.
12. Mesquite:	
(a) Light infestation	\$0.50 per acre.

PRACTICES AND CONDITIONS OF PAYMENT	RATE OF PAYMENT
(b) Medium infestation	\$1.00 per acre.
(c) Heavy infestation	2.00 per acre.
13. Cedar:	
(a) Light infestation	\$0.75 per acre.
(b) Medium infestation	1.00 per acre.
(c) Heavy infestation	1.50 per acre.
14. Lechuguilla:	
(a) Heavy infestation	\$0.50 per acre.
F. <u>FIRE GUARDS:</u>	
15. For the establishment of fire guards not less than 10 feet in width by plowing furrows or otherwise exposing the mineral soil. Payment will not be made if the fire guard is used in connection with controlled burning within the ranching unit.	\$0.05 per 100 linear feet.

Section II. Range-Building Allowance.

A. In Texas, Oklahoma, Kansas, Nebraska, South Dakota, and California, the range-building allowance shall be 2 cents per acre of range land in the ranching unit plus \$1.00 times the grazing capacity of the range land; and in Arizona, New Mexico, Nevada, Utah, Colorado, Washington, Oregon, Idaho, Montana, Wyoming, and North Dakota, the range-building allowance shall be 3 cents per acre of range land in the ranching unit plus 75 cents times the grazing capacity of the range land: Provided, however, that in either area the grazing capacity item shall not be calculated on more than one animal unit for each 10 acres of range land in the ranching unit, and the acreage item shall not be calculated on more than 60 acres for each animal unit of grazing capacity established for the ranching unit.

B. In addition, the range-building allowance shall include 35 cents times the number of acres of mountain meadow land in the ranching unit from which hay is normally harvested for feeding on the ranching unit to range livestock owned by the

operator of the ranching unit. The mountain counties in which this additional allowance is made shall be those counties in the Western Region for which, upon the basis of the recommendations of the county and State committees, the Regional Director determines the reseeding and erosion control practices specified in Section I to be necessary and effective in promoting range conservation: Provided, however, That mountain meadow land for which this additional allowance is made shall not be considered in calculating the portion of the range-building allowance provided for in subsection A.

Section III. Conditions of Payment.

A. The range-building payment with respect to any ranching unit shall not exceed the range-building allowance for such ranching unit. Payment will be made only if range-building practices are carried out according to specifications recommended by the State committee and approved by the Regional Director. Payments made for carrying out range-building practices shall not be subject to the provisions of Section V of the Agricultural Conservation Program Bulletin, as amended February 19, 1938 (ACP-1938-3).

B. No payment will be made for practices carried out with labor, seed, trees, and materials furnished entirely by any State or Federal agency other than the Agricultural Adjustment Administration, or for practices with respect to which a portion of the labor, seed, trees, or other materials used in carrying out such practices is furnished by a State or Federal agency other than the Agricultural Adjustment Administration, if such portion represents one-half or more of the total cost of carrying out such practices. If a portion of the labor, seed, trees, or other materials used in carrying out any practice is furnished by a State or Federal agency other than the Agricultural Adjustment Administration and such portion represents less than one-half of the total cost of carrying out such practice, payment will be made for such practice at one-half of the rate specified in Section I.

Section IV. Changes in Leasing Arrangements and Other Devices.

A. No payment will be made to any person who has for 1938 made any change from the 1937 leasing arrangements of range land for the purpose of, or which would have the effect of, diverting to such person any payment to which any lessee would be entitled if the 1937 leasing arrangements of such range land were in effect for 1938.

If the State committee finds that any person who files an application for a payment pursuant to the provisions of the 1938 Range Conservation Program has made any change from the 1937 leasing arrangements of such range land or has employed any other scheme or device whatsoever for the purpose of, or which would have the effect of, depriving any other person of any payment or share therein to which such other person otherwise would be entitled, the Secretary may withhold in whole or in part from the person participating in such a scheme or device, or require such person to refund in whole or in part, the amount of any payment which has been or otherwise would be made to such person for performance in connection with the 1938 Range Conservation Program.

B. If on any ranching unit in 1938 any change of the leasing arrangements which existed on the ranching unit in 1937 is made between the landlord and the tenants and such change would cause a greater proportion of the payment to be made to the landlord under the 1938 Range Conservation Program than would have been made to the landlord for performances on the ranching unit under the 1937 Range Conservation Program, payment to the landlord under the 1938 Range Conservation Program with respect to the ranching unit shall not be greater than the amount that would have been paid to the landlord if the arrangements which existed on the ranching unit in 1937 had been continued in 1938, if the county committee certifies that the change is not justified and disapproves such change.

C. If on any ranching unit the number of tenants in 1938 is less than the average number on the ranching unit during the years 1935 to 1937, inclusive, and such reduction would increase the payments that would otherwise be made to the landlord, such payments to the landlord shall not be greater than the amount that would otherwise be made if the county committee certifies that the reduction is not justified and disapproves such reduction.

Section V. Eligibility for Payment.

A. Application for range-building payment may be made only by ranch operators. Range-building payments will be made to (1) a sole ranch operator, or (2) each ranch operator of a group of two or more ranch operators, provided they all signify in the application for the range-building payment a percentum of the total payment to be made to each ranch operator. In case there are two or more ranch operators, the application must be made by all of them, except that in cases where any ranch operator refuses to sign the application for payment the county committee shall determine the per-

centage share of each ranch operator and payment of his percentage share will be made to each ranch operator applying for payment in accordance with such determination.

B. Any person who has an interest in a farm on which cotton is planted in 1938 and who makes application for payment with respect to any ranching unit shall file with such application a statement verified by affidavit that the applicant has not knowingly planted or caused to be planted during 1938 cotton on land in any farm in which he has an interest in excess of the cotton acreage allotment established for the farm for 1938 under Section 344 of the Agricultural Adjustment Act of 1938 in connection with cotton marketing quotas, and that cotton was not planted in excess of such allotment by his authority or with his consent. Any person who knowingly plants cotton on his farm in 1938 on acreage in excess of the cotton acreage allotment for the farm established in connection with cotton marketing quotas under Section 344 of the Agricultural Adjustment Act of 1938 and regulations issued in connection therewith shall not be eligible for any payment under the provisions of the 1938 Range Conservation Program. A person shall be presumed to have knowingly planted cotton on his farm on acreage in excess of such farm cotton acreage allotment if notice of his allotment is mailed to him prior to the completion of the planting of cotton on the farm unless such person establishes the fact that the excess acreage planted to cotton was due to his lack of knowledge of the number of acres in the tract(s) planted to cotton. Such notice, if mailed to the operator of the farm, shall be deemed to be notice to all persons sharing in the production of cotton thereon in 1938.

Section VI. Materials Furnished as Grants of Aid. Wherever it is found practicable, trees, seeds, and other material may, upon request of the ranch operator(s), be furnished by the Agricultural Adjustment Administration as grants of aid in lieu of payments. Wherever such materials are furnished, the range-building allowance will be reduced by the amount of the payment which otherwise would be computed with respect to the practices in connection with which the materials so furnished are used. In making a request for materials pursuant to this section the ranch operator(s) to whom such materials are furnished shall agree that, in the event the amount of the payment which otherwise would be computed with respect to the practices in connection with which the materials so furnished are used exceeds the range-building allowance, the amount of such excess shall be repaid by him to the Secretary.

Section VII. Payment Restricted to Effectuation of the Purposes of the Program. All or any part of any payments which otherwise would be made to any person under the 1938 Range Conservation Program may be withheld (1) if he has adopted any practice which the Secretary determines tends to defeat any of the purposes of the program, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to forest land or woodland owned or controlled by him, he adopts any practice which the Regional Director finds is contrary to sound conservation practices.

No payment will be made to any person if it is determined in accordance with instructions issued by the Agricultural Adjustment Administration that, with respect to any ranch which he owns or operates, the stand of grass has been decreased or the forage, tree growth or watershed has been injured by overgrazing in 1938.

Section VIII. Payments Computed and Made Without Regard to Claims. Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in Section XI), and without regard to any claim or lien against any crop or livestock, or proceeds thereof, in favor of the owner or any other creditor.

Section IX. Increase in Small Payments. The total payment computed for any person with respect to any ranching unit shall be increased as follows:

- (1) Any payment amounting to 71 cents or less shall be increased to \$1.00;
- (2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;
- (3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of pay- ment computed	Increase in payment	Amount of pay- ment computed	Increase in payment
\$1.00 to 1.99	\$0.40	\$32.00 to 32.99	10.40
2.00 to 2.99	0.80	33.00 to 33.99	10.60
3.00 to 3.99	1.20	34.00 to 34.99	10.80
4.00 to 4.99	1.60	35.00 to 35.99	11.00
5.00 to 5.99	2.00	36.00 to 36.99	11.20
6.00 to 6.99	2.40	37.00 to 37.99	11.40
7.00 to 7.99	2.80	38.00 to 38.99	11.60
8.00 to 8.99	3.20	39.00 to 39.99	11.80
9.00 to 9.99	3.60	40.00 to 40.99	12.00
10.00 to 10.99	4.00	41.00 to 41.99	12.10
11.00 to 11.99	4.40	42.00 to 42.99	12.20
12.00 to 12.99	4.80	43.00 to 43.99	12.30
13.00 to 13.99	5.20	44.00 to 44.99	12.40
14.00 to 14.99	5.60	45.00 to 45.99	12.50
15.00 to 15.99	6.00	46.00 to 46.99	12.60
16.00 to 16.99	6.40	47.00 to 47.99	12.70
17.00 to 17.99	6.80	48.00 to 48.99	12.80
18.00 to 18.99	7.20	49.00 to 49.99	12.90
19.00 to 19.99	7.60	50.00 to 50.99	13.00
20.00 to 20.99	8.00	51.00 to 51.99	13.10
21.00 to 21.99	8.20	52.00 to 52.99	13.20
22.00 to 22.99	8.40	53.00 to 53.99	13.30
23.00 to 23.99	8.60	54.00 to 54.99	13.40
24.00 to 24.99	8.80	55.00 to 55.99	13.50
25.00 to 25.99	9.00	56.00 to 56.99	13.60
26.00 to 26.99	9.20	57.00 to 57.99	13.70
27.00 to 27.99	9.40	58.00 to 58.99	13.80
28.00 to 28.99	9.60	59.00 to 59.99	13.90
29.00 to 29.99	9.80	60.00 to 185.99	14.00
30.00 to 30.99	10.00	186.00 to 199.99	Increase to 200.00
31.00 to 31.99	10.20	200.00 and over	No increase

Section X. Deductions for Association Expenses.

There shall be deducted pro rata from the payments with respect to any ranching unit all or such part as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the ranching unit is located.

Section XI. Assignments. Any person who may be

entitled to any payment in connection with the 1938 Range Conservation Program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1938. No such assignment will be recognized unless (1) the assignment is made in writing on a form prescribed by the Agricultural Adjustment Administration and is acknowledged by the ranch operator before the county agricultural

extension agent and filed with such agent; (2) the ranch operator files with the assignment an affidavit showing that the assignment is made to pay or secure an indebtedness incurred in connection with financing the making of a 1938 crop and not to pay or secure any pre-existing indebtedness; and (3) the person to whom such assignment is made certifies that the payment is being assigned without discount for such purpose. For the purposes of this section the making of a crop shall be deemed to include the carrying out of range-building practices.

Nothing in the provisions of this section shall be construed to give an assignee a right to any payment other than that to which the ranch operator is entitled, nor shall the Secretary or any disbursing agent be subject to any suit or liability if payment is made to the ranch operator without regard to the existence of any such assignment.

Section XII. Establishment of Grazing Capacities. There shall be established a grazing capacity for each ranching unit for which an application for determination of grazing capacity is received on or before a date established by the Regional Director as affording reasonable opportunity for the filing of such applications. In determining grazing capacity, consideration shall be given to the following: (a) composition, palatability, and density of forage growth; (b) climatic fluctuations; (c) distribution and character of watering facilities; (d) topographic and cultural features; (e) presence or absence of rodents and poisonous plant infestations; and (f) number and classes of livestock previously carried. The average of the individual grazing capacities established for all ranching units in a county shall not exceed the county average grazing capacity limit established by the Agricultural Adjustment Administration on the basis of available statistics.

Section XIII. Determination of County in Which a Ranching Unit is Located. A ranching unit shall be regarded as located in the county in which its principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the ranching unit is located.

Section XIV. Appeals. Any person who considers himself aggrieved by any recommendation or determination of the county committee with respect to any ranching unit in which he has an interest may, within 15 days after notice thereof is forwarded to or available to him request the county committee in writing to reconsider its recommendation or determination with respect to any of the following matters: (a) eligibility to file an

application for payment, (b) grazing capacity established for the range land in such ranching unit, or (c) any other matter affecting the right to or the amount of his payment with respect to the ranching unit. The county committee shall notify such person of its decision in writing within 15 days after receipt of such written request for reconsideration. If such person is dissatisfied with the decision of the county committee he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person of its decision in writing within 30 days after the receipt of the appeal. If such person is dissatisfied with the decision of the State committee he may, within 15 days after such decision is forwarded to or made available to him, request the regional director to review the decision of the State committee.

Section XV. State and Regional Bulletins, Instructions and Forms. The Agricultural Adjustment Administration shall prepare and issue such State and regional bulletins, instructions, and forms as may be required in administering the 1938 Range Conservation Program.

Section XVI. Definitions. For the purposes of the 1938 Range Conservation Program,

SECRETARY means the Secretary of Agriculture of the United States.

NORTH CENTRAL REGION means the area included in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

SOUTHERN REGION means the area included in the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, South Carolina, and Texas.

WESTERN REGION means the area included in the States of Arizona, California, Colorado, Idaho, Kansas, Montana, Nevada, New Mexico, North Dakota, Oregon, Utah, Washington, and Wyoming.

REGIONAL DIRECTOR means the director of the division of the Agricultural Adjustment Administration in charge of the 1938 Agricultural Conservation Program and the 1938 Range Conservation Program in the Region.

STATE COMMITTEE means the group of persons designated for any State to assist in the administration of the 1938 Agricultural Conservation Program and the 1938 Range Conservation Program in such State.

COUNTY COMMITTEE means the group of persons elected

for any county to assist in the administration of the 1938 Agricultural Conservation Program and the 1938 Range Conservation Program in such county.

PERSON means an individual, partnership, association, corporation, estate or trust, and wherever applicable a State, a political subdivision of a State, or any agency thereof.

RANGE-BUILDING PAYMENT means a payment for the carrying out of one or more approved range-building practices.

RANGE-BUILDING ALLOWANCE means the largest amount for any ranching unit which may be earned as a range-building payment on such ranching unit.

RANCH OPERATOR means a person who as owner, cash tenant, or share tenant operates, or a person who acts in similar capacity in the operation of, a ranching unit in 1938.

RANGE LAND means any land in which a ranch operator has such a legal estate or interest as to give him control thereof, which produces forage grazed by range livestock, without cultivation or general irrigation. Range land shall not include public domain of the United States, including lands owned by the United States and administered under the Taylor Grazing Act or by the Forest Service of the United States Department of Agriculture, and other lands in which the beneficial ownership is in the United States.

RANCHING UNIT means all range land which is used in 1938 by the ranch operator as a single unit in producing range livestock, with machinery, workstock, and labor substantially separate from that of any other range land. In order to facilitate the administration of the program the Regional Director may prescribe that for the purposes of this program tracts shall be deemed ranching units only if they contain more than the minimum acreage of range land fixed by him.

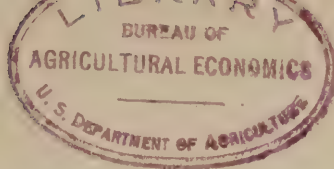
ANIMAL UNIT means one cow, one horse, five sheep, or five goats, or the equivalent thereof.

GRAZING CAPACITY OF RANGE LAND means the number of animal units which such land will sustain, on a 12-month basis, over a period of years without decreasing the stand of grass or other grazing vegetation, and without injury to the forage, tree growth, or watershed.

(Seal)

Done at Washington, D. C., this 12th day of March, 1938. Witness my hand and the seal of the Department of Agriculture.

H. A. Wallace
Secretary of Agriculture.



RCP-1938-4

Issued May 25, 1938

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

1938 RANGE CONSERVATION PROGRAM BULLETIN
Supplement No. 3

1.42
Ad 4 R. 1938
JUN 14 1938

Pursuant to the authority vested in the Secretary of Agriculture under Sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1938 Range Conservation Program Bulletin, as amended March 12, 1938, is hereby amended as follows:

(1) Section V, Eligibility for Payment, is hereby amended to read as follows:

"A. Application for range-building payment may be made only by ranch operators. Range-building payments will be made to (1) a sole ranch operator, or (2) each ranch operator of a group of two or more ranch operators, provided they all signify in the application for the range-building payment a percentum of the total payment to be made to each ranch operator. In case there are two or more ranch operators, the application must be made by all of them, except that in cases where any ranch operator refuses to sign the application for payment the county committee shall determine the percentage share of each ranch operator and payment of his percentage share will be made to each ranch operator applying for payment in accordance with such determination.

"B. Payment will be made only upon application submitted through the county office. The Secretary reserves the right (1) to withhold payment to any ranch operator who fails to file any form or furnish any information required with respect to any ranching unit in which such ranch operator is interested, and (2) to refuse to accept any application for payment if such application or any other form or information required is not submitted to the county office within the time fixed by the Regional Director. At least two weeks' notice to the public shall be given in advance of the expiration of a time limit for filing prescribed forms.

"C. Any person who makes application for payment with respect to any ranching unit located in a county in which cotton is planted in 1938 shall file with such application a statement that the applicant has not knowingly planted or caused to be planted during 1938 cotton on land in any farm in which he has an interest in excess of the cotton acreage allotment established for the farm for 1938 and that cotton was not planted in excess of such allotment by his authority or with his consent. Any person who knowingly plants cotton on his farm in 1938 on acreage in excess of the cotton acreage allotment established for the farm for 1938 shall not be eligible for any payment under the provisions of the 1938 Range Conservation Program. Any person having an interest in the cotton crop on a farm on which cotton is planted in 1938 on acreage in excess of the cotton acreage allotment for the farm for 1938

shall be presumed to have knowingly planted cotton on his farm on acreage in excess of such farm cotton acreage allotment if notice of his allotment is mailed to him prior to the completion of the planting (seeding) of cotton on the farm unless such person establishes the fact that the excess acreage planted to cotton was due to his lack of knowledge of the number of acres in the tract(s) planted to cotton. Such notice, if mailed to the operator of the farm, shall be deemed to be notice to all persons sharing in the production of cotton thereon in 1938."

(2) Section XI, Assignments, is hereby amended to read as follows:

"Any person who may be entitled to a payment in connection with the 1938 Range Conservation Program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1938. No such assignment will be recognized unless (1) the assignment is made in writing upon Form ACP-69 in accordance with instructions issued by the Agricultural Adjustment Administration and is filed in the office of the county agricultural conservation association; (2) the ranch operator files with the assignment a statement that the assignment is made to pay or secure an indebtedness incurred in connection with financing the making of a crop in 1938 and not to pay or secure any preexisting indebtedness; and (3) the person to whom such assignment is made certifies that the payment is being assigned without discount for such purpose. For the purposes of this section the making of a crop shall be deemed to include the carrying out of range-building practices.

"Nothing contained in this Section XI shall be construed to give an assignee a right to any payment other than that to which the ranch operator is entitled, nor shall the Secretary or any disbursing agent be subject to any suit or liability if payment is made to the ranch operator without regard to the existence of any such assignment."

(SEAL)

Done at Washington, D. C.,
this 25th day of May, 1938. Witness
my hand and the seal of the Department
of Agriculture.


Secretary of Agriculture.

Issued June 21, 1938.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
Western Region

1938 RANGE CONSERVATION PROGRAM BULLETIN
FOR

MEAGHER COUNTY, MONTANA



This bulletin supersedes for Meagher County all portions of WR-1938-Montana relating to range.

Pursuant to the authority vested in the Secretary of Agriculture under Sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, and in connection with the effectuation of the purposes of Section 7 (a) of said Act in 1938, payments will be made for participation in the 1938 Meagher County, Montana, Range Conservation Program in accordance with the provisions of this bulletin and such modifications thereof or other revisions as may hereafter be made.

The provisions of this program, are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the making of the payments herein provided are contingent upon such appropriation as the Congress may hereafter provide and the rates of payments specified herein are subject to an increase or decrease of not more than 10 percent, depending upon the extent of participation in the Meagher County program and the final estimate of payments which would be made in Meagher County under the 1938 Range Conservation Program.

The provisions of the 1938 Meagher County, Montana, Range Conservation Program contained in this bulletin are not applicable (1) to counties other than Meagher County, Montana, (2) to public domain of the United States, including lands owned by the United States and administered under the Taylor Grazing Act or by the Forest Service of the United States Department of Agriculture, and (3) other lands in which the beneficial ownership is in the United States.

The provisions of this bulletin are to be renewed each year through 1940 except in case the Agricultural Adjustment Administration finds that (1) the Range Conservation Program has been modified in such manner as to adopt the essential provisions of the Meagher County, Montana, Program or is otherwise modified in such manner as to indicate the continuation of this program is unnecessary or undesirable, or (2) the resulting performance under this program has proven it is not administratively feasible, and that it is not contributing to the improvement of the Range Conservation Program or for other reasons indicates its continuation is undesirable, or (3) modifications of the Soil Conservation and Domestic Allotment Act, as

amended, and the Agricultural Adjustment Act of 1938 are such as to prohibit its continuation, or are such as to indicate its continuation is not administratively advisable.

SECTION I. RATES OF RANGE-BUILDING PAYMENTS

A. Natural Reseeding by Limited Grazing. Subject to the conditions hereinafter set forth, payments will be made for the performance of limited grazing on range land, if approved by the county committee for the ranching unit prior to its institution, during the year 1938 as follows:

1. Ranches designated as not overgrazed.

- a. 40% of the range-building allowance, computed under Section II, subsection A, if no goal is established for the ranching unit by the county committee or if a goal is established by the county committee for the ranching unit and the operator fails to fully comply with the provisions thereof.
- b. 60% of the range-building allowance, computed under Section II, subsection A, if a goal is established for the ranching unit by the county committee and if the operator fully complies with the provisions thereof.

2. Ranches designated as overgrazed.

- a. 60% of the range-building allowance, computed under Section II, subsection A, if no goal is established for the ranching unit by the county committee or if a goal is established by the county committee for the ranching unit and the operator fails to fully comply with the provisions thereof.
- b. 75% of the range-building allowance, computed under Section II, subsection A, if a goal is established for the ranching unit by the county committee and if the operator fully complies with the provisions thereof.

3. For the purposes of this Section I A, the county committee shall determine the ranching units in the county which are overgrazed and those not overgrazed. In making such determination with respect to a ranching unit, the county committee shall give consideration to the following: varieties, palatability, and density of forage growth; climatic fluctuations; distribution and character of watering facilities; topographic and cultural features, presence or absence of rodents and poisonous plant infestations; the number and classes of livestock currently grazed upon such ranching unit, and other similar factors.

4. The provisions of this Section I A, subsections 2 and 3, shall be applicable only during 1938 and 1939. In 1940, the rates for all ranches will be as prescribed under subsections 1 a and 1 b above.
5. The goal provided for in this Section I A shall be established by the county committee and shall consist of conditions and specifications other than those listed in this bulletin, and in addition to limited grazing, which the county committee determines are necessary on the ranch either to support and complement the effective conservation use to be made of the range in connection with such range-building practices as are contained in this bulletin or to assist in connection with limited grazing in bringing about on the ranching unit such use of the forage resources as will more effectively carry out the purposes of the Soil Conservation and Domestic Allotment Act. The county committee's determination with respect to goals shall be based on conservative range management, forage and feed resources of the ranch, topographic and cultural features, utilization of forage by wildlife and the extent to which the resources of the ranch have been utilized in a conservative manner.

B. Within the limits of that part of the range-building allowance remaining after applying the provisions of subsection A above, and subject to the conditions hereinafter set forth, there will be paid for carrying out in 1938 on range land such of the following range-building practices as are approved by the county committee for the ranching unit prior to their institution.

Practices and conditions of payment	Rate of payment
RESEEDING OF RANGE LAND	
1. Artificial reseeding - - - - - For reseeding depleted range land with good seed of adapted varieties of range grasses, legumes, or forage shrubs.	\$0.20 per pound of seed sown, but not in excess of \$2.00 per acre.
EROSION AND RUNOFF CONTROL	
2. Contour listing, furrowing, or subsoiling- - - For listing, furrowing, or subsoiling range land on the contour.	\$0.50 per acre
3. Spreader dams and terraces:	

Practices and conditions of payment	Rate of payment
For constructing spreader dams and spreader terraces alone or in combination with each other for the diversion of surface water to prevent soil washing of range land.	
(a) Spreader dams - - - - -	\$0.15 per cubic yard of material moved.
(b) Spreader terraces - - - - -	\$0.40 per 100 linear feet.
DEVELOPMENT OF STOCK WATER ON RANGE LAND	
4. Earthen tanks or reservoirs - - - - -	\$0.15 per cubic yard of fill or excavation.
For constructing reservoirs or earthen tanks with spillways adequate to prevent dams from washing out, for the purpose of providing water for range livestock.	
5. Wells:	
(a) For drilling or digging wells with casing not less than 4 inches in diameter, for the purpose of providing water for range livestock, provided a windmill or power pump is installed and the water is conveyed to a tank or storage reservoir. Payment will not be made for a well developed at ranching unit headquarters.	\$2.00 per linear foot.
(b) For drilling or digging wells with casing less than 4 inches but not less than 2 inches in diameter, for the purpose of providing water for range livestock, provided a windmill or power pump is installed and the water is conveyed to a tank or storage reservoir. An artesian well will qualify for payment provided adequate stock water is made available during the grazing season and the water is conveyed to a tank or trough. Payment will not be made for a well developed at ranching unit headquarters.	\$1.00 per linear foot.

Practices and conditions of payment	Rate of payment
<p>6. Development of natural watering places</p> <p>For developing springs or seeps, protecting the source from trampling and conveying the water in a trough or in a pipe not less than one inch in diameter to a tank, for the purpose of providing water for range livestock.</p> <p style="text-align: center;">FIRE GUARDS</p>	<p>\$0.40 per cubic foot for excavation in soil or gravel, and \$0.70 per cubic foot for excavation in rock.</p> <p>\$0.05 per 100 linear feet.</p>
<p>7. For the establishment of fire guards not less than 10 feet in width by plowing furrows or otherwise exposing the mineral soil. Payment will not be made if the fire guard is used in connection with controlled burning within the ranching unit.</p>	

SECTION II. RANGE-BUILDING ALLOWANCE

A. The range-building allowance shall be 3¢ per acre of range land in the ranching unit plus 75¢ times the grazing capacity of the range land: Provided, however, that the grazing capacity item shall not be calculated on more than one animal unit for each ten acres of range land in the ranching unit, and the acreage item shall not be calculated on more than 60 acres for each animal unit of grazing capacity established for the ranching unit.

B. In addition the range-building allowance shall include 35¢ times the number of acres of mountain meadow land in the ranching unit from which hay is normally harvested for feeding on the ranching unit to range livestock owned by the operator of the ranching unit: Provided, however, that mountain meadow land for which this additional allowance is made shall not be considered in calculating the portion of the range-building allowance provided for in subsection A.

SECTION III. CONDITION OF PAYMENT

A. No payment for range-building practices carried out pursuant to subsection B of Section I will be made unless limited grazing has been carried out on the ranch during 1938 or the county committee shall have determined that the method of ranch management has been adjusted before December 31, 1938 in the manner required to successfully carry out limited grazing.

B. The total payment made with respect to any ranching unit shall not exceed the range-building allowance for such ranching unit. Payment

will be made only if range-building practices are carried out according to specifications recommended by the county and State committees and approved by the Regional Director. Payments made for performance pursuant to the provisions of this bulletin shall not be subject to the provisions of Section V of Part I of WR-1938-Montana.

C. No payment will be made for practices carried out with labor, seed, trees, and materials furnished entirely by any State or Federal agency, or for practices with respect to which a portion of the labor, seed, trees, or other materials used in carrying out such practices is furnished by a State or Federal agency, if such portion represents one-half or more of the total cost of carrying out such practices. If a portion of the labor, seed, trees, or other materials used in carrying out any practice is furnished by a State or Federal agency and such portion represents less than one-half of the total cost of carrying out such practice, payment will be made for such practice at one-half of the rate specified in Section I.

SECTION IV. CHANGES IN LEASING ARRANGEMENTS AND OTHER DEVICES

A. No payment will be made to any person who has for 1938 made any change from the 1937 leasing arrangements of range land for the purpose of, or which would have the effect of, diverting to such person any payment to which any lessee would be entitled if the 1937 leasing arrangements of such range land were in effect for 1938. If the State committee finds that any person who files an application for a payment pursuant to the provisions of the 1938 Meagher County, Montana, Range Conservation Program has made any change from the 1937 leasing arrangements of such range land or has employed any other scheme or device whatsoever for the purpose of, or which would have the effect of depriving any other person of any payment or share therein to which such other person otherwise would be entitled, the Secretary may withhold in whole or in part from the person participating in such a scheme or device, or require such person to refund in whole or in part, the amount of any payment which has been or otherwise would be made to such person for performance in connection with the 1938 Meagher County, Montana, Range Conservation Program.

B. If on any ranching unit in 1938 any change of the leasing arrangements which existed on the ranching unit in 1937 is made between the landlord and the tenants and such change would cause a greater proportion of the payment to be made to the landlord under the 1938 Meagher County, Montana, Range Conservation Program than would have been made to the landlord for performances on the ranching unit under the 1937 Range Conservation Program, payment to the landlord under the 1938 Meagher County, Montana, Range Conservation Program with respect to the ranching unit shall not be greater than the amount that would have been paid to the landlord if the arrangements which existed on the ranching unit in 1937 had been continued in 1938, if the county committee certifies that the change is not justified and disapproves such change.

C. If on any ranching unit the number of tenants in 1938 is less than the average number on the ranching unit during the years 1935 to 1937, inclusive, and such reduction would increase the payments that would otherwise

be made to the landlord, such payments to the landlord shall not be greater than the amount that would otherwise be made if the county committee certifies that the reduction is not justified and disapproves such reduction.

SECTION V. ELIGIBILITY FOR PAYMENT

A. Application for range-building payment may be made only by ranch operators. Range-building payments will be made to (1) a sole ranch operator, or (2) each ranch operator of a group of two or more ranch operators, provided they all signify in the application for the range-building payment a percentum of the total payment to be made to each ranch operator. In case there are two or more ranch operators, the application must be made by all of them, except that in cases where any ranch operator refuses to sign the application for payment the county committee shall determine the percentage share of each ranch operator and payment of his percentage share will be made to each ranch operator applying for payment in accordance with such determination.

B. Payment will be made only upon application submitted through the county office. The Secretary reserves the right (1) to withhold payment to any ranch operator who fails to file any form or furnish any information required with respect to any ranching unit in which such ranch operator is interested, and (2) to refuse to accept any application for payment if such application or any other form or information required is not submitted to the county office within the time fixed by the Regional Director. At least two weeks' notice to the public shall be given in advance of the expiration of a time limit for filing prescribed forms.

C. Any person who knowingly plants cotton on his farm in 1938 on acreage in excess of the cotton acreage allotment established for the farm for 1938 shall not be eligible for any payment under the provisions of the 1938 Range Conservation Program nor under the provisions of the 1938 Meagher County, Montana, Range Conservation Program. Any person having an interest in the cotton crop on a farm on which cotton is planted in 1938 on acreage in excess of the cotton acreage allotment for the farm for 1938 shall be presumed to have knowingly planted cotton on his farm on acreage in excess of such farm cotton acreage allotment if notice of his allotment is mailed to him prior to the completion of the planting (seeding) of cotton on the farm unless such person establishes the fact that the excess acreage planted to cotton was due to his lack of knowledge of the number of acres in the tract(s) planted to cotton. Such notice, if mailed to the operator of the farm, shall be deemed to be notice to all persons sharing in the production of cotton thereon in 1938.

SECTION VI. PAYMENT RESTRICTED TO EFFECTUATION OF THE PURPOSES OF THE PROGRAM

All or any part of any payments which otherwise would be made to any person under the 1938 Meagher County, Montana, Range Conservation Program may be withheld (1) if he has adopted any practice which the Secretary determines tends to defeat any of the purposes of the program, (2) if, by means of any corporation, partnership, estate, trust, or any other device,

or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to forest land or woodland owned or controlled by him, he adopts any practice which the Regional Director finds is contrary to sound conservation practices. No payment will be made to any person if it is determined in accordance with instructions issued by the Agricultural Adjustment Administration that, with respect to any ranch which he owns or operates, the stand of grass has been decreased or the forage, tree growth or watershed has been injured by overgrazing in 1938.

SECTION VII. PAYMENTS COMPUTED AND MADE WITHOUT REGARD TO CLAIMS

Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in Section XI), and without regard to any claim or lien against any crop or livestock, or proceeds thereof, in favor of the owner or any other creditor.

SECTION VIII. INCREASE IN SMALL PAYMENTS

The total payment computed for any person with respect to any ranching unit shall be increased as follows:

- (1) Any payment amounting to 71 cents or less shall be increased to \$1.00;
- (2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;
- (3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of pay- ment computed	Increase in payment	Amount of pay- ment computed	Increase in payment
\$1.00 to 1.99	\$0.40	\$32.00 to 32.99	\$10.40
2.00 to 2.99	0.80	33.00 to 33.99	10.60
3.00 to 3.99	1.20	34.00 to 34.99	10.80
4.00 to 4.99	1.60	35.00 to 35.99	11.00
5.00 to 5.99	2.00	36.00 to 36.99	11.20
6.00 to 6.99	2.40	37.00 to 37.99	11.40
7.00 to 7.99	2.80	38.00 to 38.99	11.60
8.00 to 8.99	3.20	39.00 to 39.99	11.80
9.00 to 9.99	3.60	40.00 to 40.99	12.00
10.00 to 10.99	4.00	41.00 to 41.99	12.10
11.00 to 11.99	4.40	42.00 to 42.99	12.20
12.00 to 12.99	4.80	43.00 to 43.99	12.30
13.00 to 13.99	5.20	44.00 to 44.99	12.40
14.00 to 14.99	5.60	45.00 to 45.99	12.50
15.00 to 15.99	6.00	46.00 to 46.99	12.60
16.00 to 16.99	6.40	47.00 to 47.99	12.70
17.00 to 17.99	6.80	48.00 to 48.99	12.80
18.00 to 18.99	7.20	49.00 to 49.99	12.90
19.00 to 19.99	7.60	50.00 to 50.99	13.00
20.00 to 20.99	8.00	51.00 to 51.99	13.10
21.00 to 21.99	8.20	52.00 to 52.99	13.20
22.00 to 22.99	8.40	53.00 to 53.99	13.30
23.00 to 23.99	8.60	54.00 to 54.99	13.40
24.00 to 24.99	8.80	55.00 to 55.99	13.50
25.00 to 25.99	9.00	56.00 to 56.99	13.60
26.00 to 26.99	9.20	57.00 to 57.99	13.70
27.00 to 27.99	9.40	58.00 to 58.99	13.80
28.00 to 28.99	9.60	59.00 to 59.99	13.90
29.00 to 29.99	9.80	60.00 to 185.99	14.00
30.00 to 30.99	10.00	186.00 to 199.99	(1)
31.00 to 31.99	10.20	200.00 and over	(2)

(1) Increase to \$200.00.

(2) No increase.

SECTION IX. DEDUCTIONS FOR ASSOCIATION EXPENSES

There shall be deducted pro rata from the payments with respect to any ranching unit all or such part as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the Meagher County Agricultural Conservation Association.

SECTION X. ASSIGNMENTS

Any person who may be entitled to a payment in connection with this program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1938. No such assignment will be recognized unless (1) the assignment is made in writing upon Form ACP-69 in accordance with instructions issued by the Agricultural Adjustment Administration and is filed in the office of the county agricultural conservation association; (2) the ranch operator files with the assignment a statement that the assignment is made to pay or secure an indebtedness incurred in connection with financing the making of a crop in 1938 and not to pay or secure any preexisting indebtedness; and (3) the person to whom such assignment is made certifies that the payment is being assigned without discount for such purpose. For the purposes of this Section the making of a crop shall be deemed to include the carrying out of range-building practices.

Nothing contained in this Section X shall be construed to give an assignee a right to any payment other than that to which the ranch operator is entitled, nor shall the Secretary or any disbursing agent be subject to any suit or liability if payment is made to the ranch operator without regard to the existence of any such assignment.

SECTION XI. ESTABLISHMENT OF GRAZING CAPACITIES

There shall be established a grazing capacity for each ranching unit for which an application for determination of grazing capacity is received on or before a date established by the Regional Director as affording reasonable opportunity for the filing of such applications. In determining grazing capacity, consideration shall be given to the following: (a) composition, palatability, and density of forage growth; (b) climatic fluctuations; (c) distribution and character of watering facilities; (d) topographic and cultural features; (e) presence or absence of rodents and poisonous plant infestations; and (f) number and classes of livestock previously carried. The average of the individual grazing capacities established for all ranching units in a county shall not exceed the county average grazing capacity limit established by the Agricultural Adjustment Administration on the basis of available statistics.

SECTION XII. DETERMINATION OF COUNTY IN WHICH A RANCHING UNIT IS LOCATED

A ranching unit shall be regarded as located in the county in which its principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the ranching unit is located.

SECTION XIII. APPEALS

Any person who considers himself aggrieved by any recommendation or determination of the county committee with respect to any ranching unit in which he has an interest may, within 15 days after notice thereof is for-

warded to or available to him request the county committee in writing to reconsider its recommendation or determination with respect to any of the following matters: (a) eligibility to file an application for payment, (b) grazing capacity established for the range land in such ranching unit, or (c) any other matter affecting the right to or the amount of his payment with respect to the ranching unit. The county committee shall notify such person of its decision in writing within 15 days after receipt of such written request for reconsideration. If such person is dissatisfied with the decision of the county committee he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person of its decision in writing within 30 days after the receipt of the appeal. If such person is dissatisfied with the decision of the State committee he may, within 15 days after such decision is forwarded to or made available to him, request the Regional Director to review the decision of the State committee.

SECTION XIV. STATE AND REGIONAL BULLETINS, INSTRUCTIONS AND FORMS

The Agricultural Adjustment Administration shall prepare and issue such State and regional bulletins, instructions, and forms as may be required in administering the 1938 Meagher County, Montana, Range Conservation Program.

SECTION XV. DEFINITIONS

For the purposes of the 1938 Meagher County, Montana, Range Conservation Program,

SECRETARY means the Secretary of Agriculture of the United States.

WESTERN REGION means the area included in the States of Arizona, California, Colorado, Idaho, Kansas, Montana, Nevada, New Mexico, North Dakota, Oregon, Utah, Washington, and Wyoming.

REGIONAL DIRECTOR means the Director of the Western Division of the Agricultural Adjustment Administration in charge of the 1938 Agricultural Conservation Program, the 1938 Range Conservation Program, and the 1938 Meagher County, Montana, Range Conservation Program, in the State of Montana.

STATE COMMITTEE means the group of persons designated for the State of Montana to assist in the administration of the 1938 Agricultural Conservation Program, the 1938 Range Conservation Program, and the 1938 Meagher County, Montana, Range Conservation Program, in the State of Montana.

COUNTY COMMITTEE means the group of persons elected for Meagher County to assist in the administration of the 1938 Agricultural Conservation Program and the 1938 Meagher County, Montana, Range Conservation Program.

PERSON means an individual, partnership, association, corporation, estate or trust, and wherever applicable a State, a political subdivision of a State, or any agency thereof.

RANGE-BUILDING ALLOWANCE means the largest amount for any ranching unit which may be earned as a range-building payment on such ranching unit.

RANCH OPERATOR means a person who as owner, cash tenant, or share tenant operates, or a person who acts in similar capacity in the operation of, a ranching unit in 1938.

RANGE LAND means any land in which a ranch operator has such a legal estate or interest as to give him control thereof, which produces forage grazed by range livestock, without cultivation or general irrigation. Range land shall not include public domain of the United States, including lands owned by the United States and administered under the Taylor Grazing Act or by the Forest Service of the United States Department of Agriculture, and other lands in which the beneficial ownership is in the United States.

RANCHING UNIT means all range land which is used in 1938 by the ranch operator as a single unit in producing range livestock, with machinery, workstock, and labor substantially separate from that of any other range land. In order to facilitate the administration of the program the Regional Director may prescribe that for the purposes of this program, tracts shall be deemed ranching units only if they contain more than the minimum acreage of range land fixed by him.

ANIMAL UNIT means one cow, one horse, five sheep, or five goats, or the equivalent thereof.

GRAZING CAPACITY OF RANGE LAND means the number of animal units which such land will sustain, on a 12-month basis, over a period of years without decreasing the stand of grass or other grazing vegetation, and without injury to the forage, tree growth, or watershed.

LIMITED GRAZING means the grazing of the forage of the ranching unit at such a rate during the year as to result in a sustained yield of grass or other grazing vegetation without injury to the forage, tree growth or watershed.

[SEAL]

Done at Washington, D.C. this 21st
day of June, 1938. Witness my hand
and the seal of the Department of
Agriculture.

W. A. Wallace
Secretary of Agriculture.

UNITED STATES DEPARTMENT OF AGRICULTURE
 AGRICULTURAL ADJUSTMENT ADMINISTRATION

1938 Range Conservation Program Bulletin

for

MEAGHER COUNTY, MONTANA

Supplement No. 1

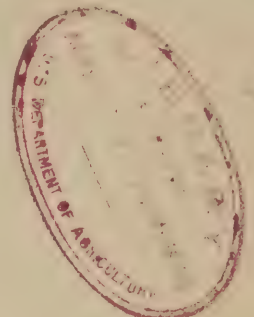
Pursuant to the authority vested in the Secretary of Agriculture under Sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1938 Range Conservation Program Bulletin for Meagher County, Montana, issued June 21, 1938, is hereby amended as follows:

Section I is hereby amended to read as follows:

SECTION I. RATES OF RANGE-BUILDING PAYMENTS

Subject to the conditions set forth in subsection A-1 below, payments will be made for the performance of limited grazing on range land, if approved by the county committee for the ranching unit prior to its institution, during the year 1938. Within the limits of that part of the range-building allowance remaining after applying the provisions of subsection A-1 below, and subject to the conditions set forth in the remaining subsections, there will be paid for carrying out in 1938 on range land such of the range-building practices as are approved by the county committee for the ranching unit prior to their institution.

Practices and conditions of payment	Rate of payment
PRACTICE A. RESEEDING OF RANGE LAND	
A-1. Natural reseeding by limited grazing.	
a. Ranches designated as not over-grazed	
(1) If no goal is established for the ranching unit by the county committee or if a goal is established by the county committee for the ranching unit and the operator fails to fully comply with the provisions thereof.	40% of the range building allowance, computed under Section II, subsection A.



Practices and conditions of payment	Rate of payment
(2) If a goal is established for the ranching unit by the county committee and if the operator fully complies with the provisions thereof.	60% of the range-building allowance, computed under Section II, subsection A.
b. Ranches designated as overgrazed.	
(1) If no goal is established for the ranching unit by the county committee or if a goal is established by the county committee for the ranching unit and the operator fails to fully comply with the provisions thereof.	60% of the range-building allowance, computed under Section II, subsection A.
(2) If a goal is established for the ranching unit by the county committee and if the operator fully complies with the provisions thereof.	75% of the range-building allowance, computed under Section II, subsection A.
c. For the purposes of this subsection A-1, the county committee shall determine the ranching units in the county which are overgrazed and those not overgrazed. In making such determination with respect to a ranching unit, the county committee shall give consideration to the following: Varieties, palatability, and density of forage growth; climatic fluctuations; distribution and character of watering facilities; topographic and cultural features; presence or absence of rodents and poisonous plants infestations; the number and classes of livestock currently grazed upon such ranching unit, and other similar factors.	
d. The provisions of this subsection A-1, subparagraphs b and c, shall be applicable only during 1938 and 1939. In 1940, the rates for all ranches will be as prescribed under subparagraphs a (1) and a (2) above.	

Practice and conditions of payment	Rate of payment
<p>c. The goal provided for in this sub-section A-1 shall be established by the county committee and shall consist of conditions and specifications other than those listed in this bulletin, and in addition to limited grazing, which the county committee determines are necessary on the ranch either to support and complement the effective conservation use to be made of the range in connection with such range-building practices as are contained in this bulletin or to assist in connection with limited grazing in bringing about on the ranching unit such use of the forage resources as will more effectively carry out the purposes of the Soil Conservation and Domestic Allotment Act. The county committee's determination with respect to goals shall be based on conservative range management, forage and feed resources of the ranch, topographic and cultural features, utilization of forage by wildlife and the extent to which the resources of the ranch have been utilized in a conservative manner.</p>	
<p>A-2. Artificial reseeding - - - - -</p> <p>For reseeding depleted range land with good seed of adapted varieties of range grasses, legumes, or forage shrubs.</p>	<p>\$0.20 per pound of seed sown, but not in excess of \$2.00 per acre.</p>
PRACTICE B. EROSION AND RUNOFF CONTROL	
<p>B-3-a. Contour listing, furrowing, or subsoiling - - - - -</p>	<p>\$0.50 per acre.</p>
<p>For listing, furrowing, or subsoiling range land on the contour.</p>	
<p>B-4. Spreader dams and terraces:</p>	
<p>For constructing spreader dams and spreader terraces alone or in combination</p>	

Practices and conditions of payment	Rate of payment
with each other for the diversion of surface water to prevent soil washing of range land.	
a. Spreader dams - - - - -	\$0.15 per cubic yard of material moved.
b. Spreader terraces - - - - -	\$0.40 per 100 linear feet.
PRACTICE C. DEVELOPMENT OF STOCK WATER ON RANGE LAND	
C-5. Earthen tanks or reservoirs - - - - -	\$0.15 per cubic yard of fill or excavation.
For constructing reservoirs or earthen tanks with spillways adequate to prevent dams from washing out, for the purpose of providing water for range livestock.	
C-7-a. Wells:	
For drilling or digging wells with casing not less than 4 inches in diameter, for the purpose of providing water for range livestock, provided a windmill or power pump is installed and the water is conveyed to a tank or storage reservoir. Payment will not be made for a well developed at ranching unit headquarters.	\$2.00 per linear foot.
C-7-b. Wells:	
For drilling or digging wells with casing less than 4 inches but not less than 2 inches in diameter, for the purpose of providing water for range livestock, provided a windmill or power pump is installed and the water is conveyed to a tank or storage reservoir. An artesian well will qualify for payment provided adequate stock water is made available during the grazing season and the water is conveyed to a tank or trough.	\$1.00 per linear foot.

Practices and conditions of payment	Rate of payment
Payment will not be made for a well developed at ranching unit headquarters.	
C-8. Development of natural watering places:	
For developing springs or scoops, protecting the source from trampling and conveying the water in a trough or in a pipe not less than one inch in diameter to a tank, for the purpose of providing water for range livestock.	
a. Excavation in soil or gravel - - -	\$0.40 per cubic foot.
b. Excavation in rock - - - - -	\$0.70 per cubic foot.
PRACTICE F. FIRE GUARDS	
F-15. For the establishment of fire guards not less than 10 feet in width by plowing furrows or otherwise exposing the mineral soil. Payment will not be made if the fire guard is used in connection with controlled burning within the ranching unit.	\$0.05 per 100 linear feet.

(SEAL)

Done at Washington, D. C.,
this 18th day of November, 1938.
Witness my hand and the seal of
the Department of Agriculture.

W. L. Wilson

Acting Secretary of Agriculture

